

UNITED STATES DEPARTMENT OF AGRICULTURE
AGRICULTURAL RESEARCH ADMINISTRATION
BUREAU OF ENTOMOLOGY AND PLANT QUARANTINE

ADMINISTRATIVE INSTRUCTIONS APPROVING ETHYLENE DIBROMIDE FUMIGATION
AS A CONDITION FOR CERTIFICATION OF CERTAIN FRUITS AND VEGETABLES
FOR MOVEMENT FROM HAWAII

Pursuant to the authority conferred upon him by § 301.13-4 (b) of the regulations supplemental to the Hawaiian Fruit and Vegetable Quarantine (Notice of Quarantine No. 13, 7 CFR 301.13) under section 8 of the Plant Quarantine Act of 1912, as amended (7 U. S. C. 161), the Chief of the Bureau of Entomology and Plant Quarantine hereby issues administrative instructions to appear as § 301.13-4b in Title 7, Code of Federal Regulations, as follows:

§ 301.13-4b Administrative instructions approving ethylene dibromide fumigation as a condition for certification of certain fruits and vegetables for movement from Hawaii. (a) The Chief of the Bureau of Entomology and Plant Quarantine hereby approves ethylene dibromide fumigation, applied in accordance with the provisions of this section, as a treatment for avocado, bell pepper, bitter melon, Cavendish banana, cucumber, papaya, pineapple, string beans, and Zucchini squash. Such fruits and vegetables treated and handled as provided in this section may be certified for movement from the Territory of Hawaii into or through any other Territory, State, or District of the United States.

(b) The fruits and vegetables designated in paragraph (a) of this section may be fumigated in open containers in an approved atmospheric fumigation vault for a period of two hours at a minimum temperature of 70° F. with a dosage of one-half pound of ethylene dibromide per 1,000 cubic feet of space, including the load.

(c) Pineapples in corrugated paper collars, packed in unlined, well-aerated crates may be fumigated in an approved atmospheric fumigation vault for a period of three hours at a minimum temperature of 70° F. with a dosage of three-quarters pound of ethylene dibromide per 1,000 cubic feet of space, including the load.

(d) Fumigation vaults and equipment used in the treatments specified in this section must be approved for that purpose by the Bureau of Entomology and Plant Quarantine. Such a vault must be equipped with a gas-tight glass window to permit a view inside the chamber while fumigation is in progress. The ethylene dibromide must be applied in the liquid state and heated over an electric hot-plate or other suitable means until vaporization is completed. The exposure time of two hours shall be calculated from the time vaporization is completed. A circulating fan shall be kept running in the vault throughout the fumigation period.

(e) The treatments approved in this section and the subsequent handling of the fruits and vegetables so treated must be under the supervision of a plant quarantine inspector of the Bureau of Entomology and Plant Quarantine. Such treated fruits and vegetables must be safeguarded against reinfestation during the period prior to movement from the Territory of Hawaii in a manner satisfactory to the said inspector. Certification of these commodities for such movement will be



made only upon compliance with the prescribed treatment and post-treatment safeguards.

(f) All costs of the treatments and prescribed post-treatment safeguards provided for in this section, other than the services of the supervising inspector, shall be borne by the shipper, owner, or person in charge of the fruits and vegetables.

(g) While the treatments approved in this section are judged from experimental tests to be safe for use with the designated fruits and vegetables, the Department of Agriculture or its inspector assumes no responsibility for any loss or damage resulting from any treatment prescribed or supervised.

(h) Tests show that there is no detectable difference between untreated papaya, pineapple, cucumber, Zucchini squash, and bitter melon, and these commodities fumigated as approved in this section, after a minimum storage of 5 to 6 days at 55° F. Fumigated avocados, string beans, bell peppers, and Cavendish bananas show slight though questionable effects, but are considered commercially acceptable.

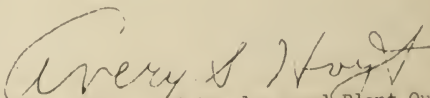
This section shall be effective on and after February 18, 1953.

(Secs. 1, 3, 33 Stat. 1269, 1270, sec. 9, 37 Stat. 318; 7 U. S. C. 141, 143, 162. Interprets or applies sec. 8, 37 Stat. 318, as amended; 7 U. S. C. 161)

The primary purpose of these administrative instructions is to approve ethylene dibromide fumigation as a treatment of certain fruits and vegetables after which fruits and vegetables so treated and handled in accordance with these instructions may be certified for movement from the Territory of Hawaii into or through any other Territory, State, or District of the United States. The Chief of the Bureau of Entomology and Plant Quarantine has determined that the treatments and post-treatment safeguards provided for in these instructions are adequate to prevent the spreading of the plant pests designated in the Hawaiian Fruit and Vegetable Quarantine. These instructions remove restrictions presently imposed, and must be made effective promptly to be of maximum benefit to persons subject to such restrictions. Accordingly, under section 4 of the Administrative Procedure Act (5 U. S. C. 1003) it is found upon good cause that notice and other public procedure with respect to the foregoing administrative instructions are impracticable and contrary to the public interest, and such instructions may be made effective less than 30 days after publication hereof in the Federal Register.

Done at Washington, D. C., this 30th day of January, 1953.

(SEAL)


Chief, Bureau of Entomology and Plant Quarantine